

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BROOKE BALCHAN,

Plaintiff,

-against-

CITY SCHOOL DISTRICT OF NEW  
ROCHELLE., et al.,

Defendants.

**ORDER**

21-CV-04798 (PMH)

PHILIP M. HALPERN, United States District Judge:

Plaintiff and counsel for both parties appeared today by telephone for a pre-motion conference. As discussed on the record, the Court will permit Plaintiff until November 15, 2022 to file a second amended complaint, for the limited purpose of including the new factual allegations described in Plaintiff's August 9, 2022 letter at Doc. 28.

Defendants consented to withdrawing their pending motion to dismiss at Doc. 19 and will be permitted to file a substitute motion to address the allegations in the second amended complaint. The Court set the following briefing schedule for Defendants' motion: Defendants will serve, not file, their motion papers on December 5, 2022; Plaintiff will serve, not file, her opposition by December 9, 2022; all motion papers will be filed along with Defendants' reply brief on December 16, 2022.

Counsel for Defendants shall also confer with their clients as to the possibility of settlement and advise the Court by 5:00 p.m. on October 28, 2022 whether Defendants are interested in participating in mediation or in a settlement conference with Magistrate Judge Davison.

The Clerk of Court is respectfully directed to terminate the motion sequence pending at Doc. 19.

**SO ORDERED:**

Dated: White Plains, New York  
October 26, 2022



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PHILIP M. HALPERN  
United States District Judge